

Constitution

Jamiatul Falah, Bilariyaganj, Azamgarh,
Uttar Pradesh, India

Article 1

Name:

The name of this institution shall be Jamiatul Falah, Bilariyaganj, Azamgarh, Uttar Pradesh (India); hereinafter known as “Jamia” and the name of its constitution shall be ‘Constitution of Jamiatul Falah, Bilariyaganj, Azamgarh, Uttar Pradesh (India)’.

Article 2

Date of Commencement:

This constitution of Jamiatul Falah shall come into force on 24 Shaban 1417AH corresponding to 5 January 1997CE.

Article 3

Mission Statement:

Jamiatul Falah has been established with the aim of promoting Islamic sciences, serving and establishing Islam and exemplifying the Islamic character and conduct in practical life. Its foundational fountainhead is the creed: لا إله إلا الله محمد رسول الله (there is no god but Allah, Muhammad is His Messenger). It’s all matters regarding the administration, educational system and other activities shall be based on the teachings of the *Qur’an* and the *sunnah*. No thoughts or actions potentially damaging and harmful to Islam in anyway, shall have room to flourish or take place within its campus.

Article 4

Aims and Objects:

1. The Jamia aims to prepare such a cadre that,
 - a) has acquired in-depth and sound knowledge and understanding of the *Qur’an* and the *Sunnah*.
 - b) is able to realize the contemporary core issues and are well aware of the non-Islamic views and ideologies.
 - c) demonstrates Islamic character and conduct in their lives.
 - d) is enthusiastic about the revival of Islamic faith and raising Allah’s word high.
 - e) Can conduct with broad minds and wide hearts the reformation and reconstruction of the society irrespective of its sectarian, partisan and juristic differences.
2. To implement a curriculum, that is consistent with article 3 of the Constitution and that in the best way combines both religious and modern education systems.
3. To produce research-based thought provoking academic literature on various aspects of Islam matching the modern day standards in approach.

4. To introduce courses consistent with article 4(1) in the field of technical and vocational education.

Article 5

Jamia's Administration:

Jamia's Administration shall consist of the following Sectors:

1. Administrative Sector
2. Educational Sector

Article 6

Administrative System:

Jamia's administrative personnel shall include the following office-bearers and the bodies:

1. Rector
2. Advisory Council
3. Director
4. Deputy Director
5. Finance Secretary
6. Executive Committee
7. Academic Council

Article 7

Rector:

For the academic and ideological mentoring and patronage of the Jamia there shall be a Rector.

Required qualities of the Rector:

- a) He fully agrees with Jamia's Mission Statement expressed in article No. 3,
- b) He intellectually holds a prominent status in the academia
- c) He is committed to the fulfillment of aims and objects of Jamia expressed in article No. 4,
- d) He is an outstanding figure in terms of having acquired the knowledge of the Qur'an and the *Sunnah*, discretion, honesty, trustworthiness and farsightedness.

Article 8

Procedure of election:

- a) The Advisory Council shall elect the Rector unanimously or by the majority of the votes cast,
- b) The Rector shall be elected for a term of three years,
- c) One person can be elected as a Rector for more than one term.

Article 9

Duties and powers:

Duties and powers of the Rector shall be as follows:

- a) To constantly monitor Jamia's progress in the correct direction and according to the 'Mission Statement' and the 'Aims and Objects' stated in article 3 and article 4 respectively of the same;
- b) To constantly assess Jamia's overall situation and to issue instructions and advice to the authorised bodies and individuals;
- c) Compliance with Rector's instructions shall be mandatory: In matters of non conformation the case must be referred to the Advisory Council for consultation;
- d) The Rector is an ex-officio head of Jamia's all administrative and educational bodies. In his absence, the concerned body shall elect one of its members as its head.

Article 10

Advisory Council:

Status:

Jamia shall have an Advisory Council being it's most authoritative body. It shall consist of 20 founder members and 10-15 elected general members.

Article 11

Election:

1. A person, who fully agrees with the aims and objects of Jamia, is committed to its development and is ready to offer his co-operation in practical terms, shall be eligible to be elected as a member of the Advisory Council.
2. The Advisory Council shall elect its members unanimously or by the majority of the votes.
3. General Members shall be elected for three years.

Article 12

- a) If a member of the Advisory Council fails continuously to attend its three consecutive meetings without any reasonable excuse; or found indulged into an immoral conduct that brings the Jamia into disrepute or becomes mentally unsound then his membership may be revoked. If a member passes away or the Advisory Council accepts his resignation, his seat shall be considered vacant.
- b) The vacant seat of a founder member shall be filled by the member elected from amongst the general members.

Article 13

Meetings:

1. The Advisory Council shall meet routinely twice a year. However the Director of Jamia may, on the Rector's advice, convene more meetings as and when needed.
2. The Director of Jamia, on the requisition of ten Advisory Council's members, shall be under obligation to convene a meeting within one month.
3. Members of the Advisory Council must be intimated in writing twenty days in advance of the agenda, date and the venue of the meeting.

4. The Director of Jamia may extend if needed, an especial invitation to a non-member, to attend the meeting. However, his vote shall not be counted.
5. The quorum for the meeting will be 40% of the total membership. However, there shall be no quorum for the succeeding meeting in case the previous meeting has been called off due to short of the quorum.

Article 14

Procedure of decision-making:

The Advisory Council's decisions shall be taken unanimously or by the majority of the votes cast. However, in case the votes are equally divided for and against a decision, the Chair's vote shall be the casting one.

Article 15

Duties and powers:

1. To chalk out the action plans for achieving the aims and objects of Jamia.
2. To suggest ideas that may well serve Jamia's interests and contribute to its development and try to turn them into action.
3. To set the salaries and allowances for the teaching and non-teaching staff.
4. To evaluate and give approval to the reports pertinent to the administrative, educational and training activities.
5. a) Election of the Rector, Director, Finance Secretary, members of Academic Council and the Executive Committee, appointment or termination of the auditor and considering their resignations.
b) Appointment and termination of the Administrator of education and training and considering his resignation.

Note: Termination of the services of any office-bearer shall be by votes of half of the total number of the members.

6. Formation of various temporary and permanent administrative bodies, establishment of departments and the approval of respective rules and regulations for them.
7. Filling the vacant seat of the Advisory Council in pursuance of article 12.
8. Conducting the election of the general members.
9. Interpretation of the constitution in pursuance of article 33 and its amendment in pursuance of article 32.
10. Considering and taking decision on the instructions given by the Rector.
11. Considering the recommendations suggested by the Executive Committee, Academic Council and the Director of the Jamia respectively
12. To give approval to the decisions taken by the Executive Committee.
13. To give approval to the annual accounts of the income and expenses of the Jamia in the light of budget and to consider and take action on the audit report
14. Approval of the annual and supplementary budgets of Jamia.
15. To set the duties and powers of the heads of the departments.

Article 16

Director of Jamia:

There shall be a Director of Jamia to deal with the issues arising and to supervise all departments. The Director shall be elected by the Advisory Council from amongst its members unanimously or by the majority of the votes cast.

Articles 17

Required qualities:

1. He is well-versed in the religious and contemporary sciences and is keenly interested in the development of education.
2. He believes in the aims and objects of the Jamia stated in article 4.
3. He is God-fearing, honest and has a good sense of understanding of affairs.
4. He is adept in administrative skills.

Article 18

Duties and jurisdictions:

1. To implement the decisions taken by the Advisory Council and the Executive Committee.
2. To submit the Executive Committee's decisions and the recommendations of the Academic Council and those of the heads of various departments to the Advisory Council for approval.
3. To meet the needs of Jamia and be concerned with its development.
4. To monitor the performance of all departments, check and evaluate their reports and take necessary actions to enhance their efficiency and effectiveness.
5. To suggest to the Advisory Council the establishment of any new departments.
6. To monitor the duties and the powers of various bodies and office-bearers and observance of the by-laws of the departments and make the related councils and their officials abide by them respectively.
7. To submit the minutes of the previous meetings to the Advisory Council and the Executive Committee for approval.
8. To submit the performance report of the Jamia to the Advisory Council meeting.
9. To appoint or terminate temporarily any of the employee and report it to the Advisory Council within a month for review and action.
10. To appoint or terminate employees of a lower grade than that of primary teachers.
11. To issue directives and instructions to the heads of departments as and when needed.
12. To approve the monthly accounts of the departments.
13. To submit the annual accounts along with the audit report to the Advisory Council.
14. To call the meetings of Advisory Council, Executive Committee and Academic Council as per regulations.
15. To appoint a deputy to help execute his responsibilities in pursuance of article 19.
16. To take legal and judicial actions on behalf of Jamia as and when needed.

17. To safeguard, purchase, sell and exchange movable and immovable properties for the benefit of Jamia according to the Advisory Council's decisions.
18. To preside over the Executive Committee's meetings in the absence of the Rector.
19. To inform the Rector of the decisions taken by various bodies of Jamia and update him of the overall situation.

Note: *The Director shall be accountable to the Advisory Council regarding his duties and powers.*

Article 19

Deputy Director:

There shall be a Deputy Director who will be elected by the Advisory Council from amongst its members upon the recommendations of the Director.

Duties and Powers:

Duties and Powers of the Deputy Director shall be as follows:

1. To assist the Director in his presence and to undertake latter's duties in his absence.
2. To contact the Director in his absence, seek his advice in connection with important matters and act accordingly.

Article 20

Finance Secretary:

There shall be a Finance Secretary who will be elected by the Advisory Council from amongst its members.

Article 21

Duties and Powers:

The Finance Secretary shall be responsible of Jamia's treasury with the following duties and powers:

1. To keep a check on all income and expenses of the Jamia.
2. To look for the ways of income-generation and to plan strategies.
3. To prepare the annual budget and the accounts and submit them to the Advisory Council for approval.
4. To maintain the records of the scales, grades, privileges and salaries of the employees of the Jamia.
5. To get Jamia's accounts audited by the Chartered Accountant.
6. To scrutinise and sign the accounts of all departments.
7. To deposit the funds with an authorised bank account and withdraw them on the instructions of the Director

Note:

- a) *The money may be withdrawn from the bank with joint signatures of the Director or the Deputy Director and the Finance Secretary.*
- b) *The Finance Secretary shall be accountable to the Director of Jamia regarding his duties and powers.*

Article 22

Executive Committee:

There shall be an Executive Committee to implement Advisory Council's decisions, to assist the Director and to sort out day-to-day matters. The said Executive Committee shall comprise of the Director, the Deputy Director, the Finance Secretary, Administrator of Education and Learning and other five members elected from amongst the Advisory Council membership. The quorum shall be of five members.

Article 23

Duties and Powers:

The duties and powers of the Executive Committee shall be as follows:

1. To appoint, terminate, suspend the teaching and non teaching staff of the Jamia or consider their resignations on Director's recommendations, with the exception of articles 5(1) and 18(10).
2. To determine ways to implement the decisions taken by the Advisory Council and the Rector.
3. To sort out day-to-day crucial matters as and when needed.
4. To set rules and regulations for various departments.
5. To regulate Jamia's vacations and the leaves of teaching and non-teaching staff.

Note:

- a) *The Executive Committee shall be accountable to the Advisory Council.*
- b) *Executive Committee's decisions shall be forwarded to the Advisory Council for approval. However, they may be implemented prior to the approval presuming they would be approved.*
- c) *The Director may extend especial invitation to the non-member individual(s) to attend the meeting of the Executive Committee. However their votes shall not be counted.*

Article 24

Academic Council:

There shall be a council of the Jamia to prepare and submit recommendations regarding educational and training matters.

- a) The Director, the Administrator of Education & Training and the Principal by virtue of their status shall be the ex-officio members of the Academic Council, in addition, there shall be another six more members elected by the Advisory Council. Individuals, not members of the Advisory Council, may be eligible to be elected to the Academic Council. The quorum shall be five and the Council shall meet routinely once a year. However, the Director may call for additional meetings as and when needed.
- b) The Director may extend especial invitation to the non-member individual(s) to attend the meeting of the Academic Council. However their votes shall not be counted.
- c) The Academic Council's decisions shall be taken unanimously or by the majority of the votes. However, in case the votes are equally divided between for and against a decision, the Chair's vote shall be the casting one.

Article 25

Duties and powers:

Duties and Powers of the Academic Council shall be as follows:

- 1) To prepare the curriculum in consonance with the aims and objects of Jamia and to keep having it updated meticulously as and when needed.
- 2) To monitor the educational and training state of affairs of Jamia and determine ways of its inspection.
- 3) To suggest ways that may contribute to the enhancement of teachers' intellectual, academic and technical capabilities.

Article 26

Educational and Training Programs:

a. The Educational and Training Programs of Jamia shall consist of the following sections:

1. Memorisation of Qur'an and *tajweed* section
2. Primary Education
3. Secondary Education
4. Higher Education

All those sections shall be for both male and female students and shall be headed by the following:

- 1) Supervisor of Qur'an Memorisation and *tajweed*
- 2) Headmaster / Headmistress (Primary)
- 3) Headmaster / Headmistress (Secondary)
- 4) Principal (Higher Education)

b. Chief Wardens shall be appointed for both residential and non-residential male and female students who will endeavor, with the help of their assistants, to undertake students' religious, moral, physical and mental reform and development.

Article 27

Administrator of Education and Training:

An administrator of education and training will be appointed to monitor the performance of the sections stated in article 26. The heads of all sections shall be respectively accountable to him and the Executive Committee shall, on his recommendations, appoint his deputies.

Article 28

Duties and powers:

- 1) To implement the decisions taken by the Advisory Council and the Executive Committee in regard with the education and training.
- 2) To devise plans that can make Jamia's educational and training programs more effective and productive.

- 3) To draft and submit educational and training plans to the Executive Committee for consultation and decision.
- 4) To submit an exhaustive report on educational and training activities to the Director.
- 5) To conduct admissions, expulsion and examination arrangements according to the rules.

Note: *For his duties and powers the Administrator shall be accountable to the Director of the Jamia.*

Article 29

The Advisory Council may establish different administrative departments as per article 15(6).

Article 30

Office Terms:

Terms of the office-bearers shall be as follows:

- 1) Rector, other office-bearers and the bodies of Jamia shall be elected for a three year term.
- 2) New elections must be held before the term ends. However, if elections could not be held on due time for any reason all existing office bearers and the bodies shall continue performing their respective duties until the fresh elections are held.

Article 31

Financial Resources:

Following shall be the financial resources of Jamia:

- 1) *Ushr* and *zakat*
- 2) Donations
- 3) Endowments or *Awqaaf*
- 4) Fees etc.

Article 32

Constitutional Amendment:

Any amendment, deletion from or addition to the constitution may take place by two-third majority of the present members of the Advisory Council provided the two-third majority is no less than half of the total number of the members.

Article 33

The Advisory Council reserves the right to interpret the constitution.